

REMARKS

Claims 1-32 and 34-46 remain in the case, claim 33 is cancelled without prejudice, and new claims 47-48 are added. Favorable reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

Specification Amendments:

Amendments to the paragraphs 25, 27-28 and 34 of the specification merely correct minor typographical errors and does not add new matter to the specification.

Claim Rejections - 35 USC § 102:

Claims 1-7, 9-12, 14-18, 20-26, 28, 29, 31-39, and 42-46 have been rejected under 35 USC § 102(b) as being anticipated by Falciglia, U.S. Patent No. 5,935,001. The applicant respectfully traverses the rejection.

With regards to amended claim 1, 11, 21 & 46 and claims 2 & 3, the Falciglia '001 reference does not display a representation of the "end game" result through a mechanical technological aid as claimed in the present application. The winning result in Falciglia is displayed in winnings window (21) which is not mechanical, whereas the "end game" result in the present application is displayed by mechanical aid (16).

Consequently, amended claims 1, 11, 21 & 46 and claims 2 & 3 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to amended claims 4, and 41-43, amended independent claim 32, and claim 39, the present invention discloses at least two bingo cards (18) being different from one another. The Falciglia '001 reference merely discloses one display matrix (3) for multiple players, see Figure 4 (also see col. 6, lines 37-44).

Moreover, claims 32 and 39 are limited to a plurality of electronic play stations controlled by a common server whereas Falciglia '001 has only one play station shared by a plurality of players (see Fig. 4).

Consequently, amended claims 4, 32, 39 and 41-43 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to amended claims 5-7, 9, 32, 36 and 45, the present invention generates at least one called number (20) that is shared in common by first and second players (or stations as for claim 32) having respective and differing bingo cards (18). The Falciglia '001 reference has no commonly applied call numbers and the respective call numbers (i.e. mechanical wheels 7a-7e) for each player are not only different in designated values, but may also be different in overall quantity, hence the use of actuating arm (5) in Falciglia '001 not present in the present invention (see col. 5, lines 14-25).

Consequently, amended claims 5-7, 9, 32, 36 and 45 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to amended claims 10 and 11, Falciglia does not apply a single set of call numbers to a plurality of bingo cards. In fact, Falciglia does not have more than one bingo card even if multiple players are playing.

Consequently, amended claims 10 and 11 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to amended claim 12 and claim 14, a game-ending prize is awarded to any one of the bingo cards. Because Falciglia has only one bingo card, any winning awards can not be in response to a specific card. In fact, Falciglia's winning awards are in response to any one player who has accumulated the most money over a series of games or rounds (see col. 7, lines 14-19).

Consequently, amended claim 12 and claim 14 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to amended claims 15, 35 and 36, the bingo game is ended in response to determining whether a game ending pattern is established in "any one" of

the bingo cards. Because Falciglia has only one bingo card, the game ending response is determined from only one card.

Consequently, amended claims 15, 35 and 36 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to amended claims 16, 17, 35 and 36, the Applicant respectfully disagrees with the Examiner's assertion that the meaning of interim pattern is not clearly disclosed. As taught in paragraphs 32-33 of the present patent application, an interim pattern is a sequence that does not end the bingo game yet warrants a prize while the game continues (hence the term "interim"). Because Falciglia does not recognize thus does not determine an interim pattern, amended claims 16, 17, 35 and 36 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to amended claims 18 and claim 20, an interim prize is awarded to any one of the bingo cards. Because Falciglia has only one bingo card, any awards can not be in response to a specific card. In fact, Falciglia's winning awards are in response to any one player who has accumulated the most money over a series of games or rounds (see col. 7, lines 14-19). Moreover, Falciglia does not award "interim" prizes.

Consequently, amended claim 18 and claim 20 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to amended independent claim 22, amended claims 23-25 and claims 26, 28 & 31, the Falciglia '001 reference does not display a representation of the "end game" result through a mechanical technological aid as claimed in amended claim 22 of the present application. The winning result in Falciglia is displayed in winnings window (21) which is not mechanical, whereas the "end game" result in the present application is displayed by mechanical aid (16).

Furthermore, the Applicant respectfully disagrees with the Examiner's assertion that the meaning of "interim pattern" is not clearly disclosed. As taught in paragraphs 32-33 of the present patent application, an interim pattern is a sequence that does not end the bingo game yet warrants a prize while the game continues (hence the term "interim"). The Falciglia '001 reference does not recognize or determine an interim pattern.

Consequently, claims 22-26, 28 and 31 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to claim 29, a prize is awarded in response to an interim pattern. Falciglia '001 has no interim patterns.

Consequently, claim 19 of the present invention is not anticipated by Falciglia '001 under U.S.C. 102(b).

With regards to claim 33, claim 33 is cancelled without prejudice, hence the rejection is moot.

With regards to amended claims 34, 37, 38 and 44, the Falciglia '001 reference does not have the following:

- A plurality of play stations
- A plurality of bingo cards
- A common called number shared with all bingo cards
- An interim pattern.

Consequently, amended claims 34, 37, 38 and 44 of the present invention are not anticipated by Falciglia '001 under U.S.C. 102(b).

Claim Rejections - 35 USC § 103:

Falciglia in view of Ordinary Skill:

Claims 8, 27 and 40-41 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Falciglia, U.S. Patent 5,935,001, in view of that to one having ordinary skill in the art. The applicant respectfully traverses the rejection.

With regards to claims 8 and 40, the call numbers (20) are generated at the same time. In the Falciglia '001 reference, the respective call numbers are not generated until the player actuates the arm (5) and only when it is the specific player's turn (see col. 8, lines 51-57).

Therefore, because Falciglia '001 teaches away from simultaneous generation of call numbers, claims 8 and 40 are patentable and non-obvious under U.S.C. §103(a)

With regards to claims 27 and 41, because respective intervening claims 26 and 39 are patentable, claims 27 and 41 are non-obvious and patentable. If an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious, In re Fine, 837 F.2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988).

Falciglia in view of Lind:

Claims 13, 19 and 30 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Falciglia, U.S. Patent 5,935,001, and in view of Lind, U.S. Patent Publication 2004/0176169. The applicant respectfully traverses the rejection.

With regards to claims 13, 19 and 30, because respective intervening claims 12, 18 and 29 are patentable, claims 13, 19 and 30 are non-obvious and patentable. If an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious, In re Fine, 837 F.2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988).

New Claims:

New independent apparatus claim 47 is added. Claim 47 is similar to amended method claim 22 except claim 47 is not limited to a bingo-type game. New dependent claim 48 limits the display of the called numbers and card to a video.

As previously argued, the Falciglia '001 reference does not display an end game result via a mechanical aid as does claim 47. Moreover, the Falciglia '001 reference does not display both the called numbers and the card via a video display as does claim 48.

Summary:

Please reconsider claims 1-32 and 34-46, and new claims 47-48 in view of the above amendments and remarks.

If it is determined that any fees are due, the Commissioner is hereby authorized and respectfully requested to charge such fees to Deposit Account No. 08-2789 in the name of Howard & Howard Attorneys.

Respectfully submitted,

/David A. Burns/

David A. Burns, Registration No. 46,238
Howard & Howard Attorneys PC
39400 Woodward Avenue, Suite 101
Bloomfield Hills, Michigan 48304-5151
(248) 723-0486

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